

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

<b>DONNA CURLING, et al.,</b>	)	
	)	
<b>Plaintiffs,</b>	)	<b>CA No. 1:17cv02989-AT</b>
	)	
<b>v.</b>	)	
	)	
<b>BRIAN KEMP, et al.,</b>	)	
	)	
<b><u>Defendants.</u></b>	)	

**STATE DEFENDANTS' MOTION TO DISMISS  
PLAINTIFFS' SECOND AMENDED COMPLAINT**

Come Now the State Election Board (“SEB”), Secretary of State and Chair of the SEB Brian P. Kemp, members of the SEB David J. Worley, Rebecca N. Sullivan, Ralph F. Simpson, and Seth Harp, and Merle King (hereafter “State Defendants”) through counsel, and hereby move to dismiss all claims against the State Defendants in Plaintiffs’ Second Amended Complaint. The State Defendants move for dismissal of all claims pursuant to Fed. R. Civ. Proc. 12(b)(1) and 12(b)(6).

The basis for the motion is more fully set forth in the accompanying Brief in Support of Motion to Dismiss.

Respectfully submitted,

CHRISTOPHER M. CARR  
Attorney General 112505

ANNETTE M. COWART 191199  
Deputy Attorney General

RUSSELL D. WILLARD 760280  
Senior Assistant Attorney General

/s/Cristina Correia  
CRISTINA CORREIA 188620  
Assistant Attorney General

/s/Elizabeth A. Monyak  
ELIZABETH A. MONYAK 005745  
Assistant Attorney General

/s/Josiah B. Heidt  
JOSIAH B. HEIDT 104183  
Assistant Attorney General

Georgia Department of Law  
40 Capitol Square SW  
Atlanta, GA 30334  
404-656-7063

Attorneys for State Defendants

Please address all  
Communication to:  
CRISTINA CORREIA  
Assistant Attorney General  
40 Capitol Square SW  
Atlanta, GA 30334  
ccorreia@law.ga.gov  
404-656-7063  
404-651-9325

### **CERTIFICATE OF COMPLIANCE**

I hereby certify that the forgoing Defendants' Motion to Dismiss was prepared in 14-point Times New Roman in compliance with Local Rules 5.1(C) and 7.1(D).

/s/ Cristina Correia  
Assistant Attorney General

**CERTIFICATE OF SERVICE**

I hereby certify that on this date I have electronically filed the foregoing **STATE DEFENDANTS' MOTION TO DISMISS** with the Clerk of Court using the CM/ECF system, which will automatically send email notification of such filing to all attorneys of record.

This 29th day of September, 2017.

/s/ Cristina Correia  
Assistant Attorney General